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 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

10 JOANNA L. PFEISTER,

11 Plaintiff,

12 v.

13 ACTION PROPERTY
 14 MANAGEMENT, INC. ,

15 Defendant.

Case No. 3:21-cv-04473-RS

**STIPULATION AND ORDER TO
 CONTINUE ALL COURT
 EVENTS AND HEARINGS AS
 MODIFIED BY THE COURT**

Trial Date: None Set

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 17 Defendant, ACTION PROPERTY MANAGEMENT, INC., through its counsel of record,
 18 and Plaintiff, JOANNA L. PFEISTER, who is *pro se*, do hereby agree and stipulate that good
 19 cause exists to continue all current and any future court events and hearings in this matter until
 20 after September 16, 2021, by request of Plaintiff, who is now unavailable.

21 WHEREAS, Defendant's Motion to Dismiss Pursuant to Federal Rules of Civil Procedure
 22 Rule 12(b)(1) and Defendant's Motion to Dismiss Pursuant to Rule 12(b)(6) are currently
 23 scheduled for August 19, 2021 at 1:30 P.M.

24 WHEREAS, the Initial Case Management Conference is set for September 9, 2021 at
 25 10:00 A.M.

26 WHEREAS, Plaintiff states she is now unavailable for any hearing, conference, or other
 27 court event, which requires the appearance of either or both parties, until after September 16,
 28 2021.

1 WHEREAS, the parties agree and stipulate that should it become necessary that a new
2 motion, application, pleading, or other paper, be filed, such motion, application, pleading, or other
3 paper, shall conform with the law, including applicable notice requirements as proscribed by law.

4 Further, in this matter, the hearing, conference, or any such event, which requires the
5 appearance of Plaintiff and/or Defendant, through its counsel, shall not occur until after September
6 16, 2021.

7 WHEREAS, Defendant and its counsel do not now or in the future waive reasonable notice
8 as proscribed by law.

9 WHEREAS, the parties agree and stipulate that there will be no prejudice to any party by
10 the requested continuance.

11 WHEREAS, the parties, by way of this stipulation and [Proposed] Order, now respectfully
12 request that this Court continue Defendant's Motion to Dismiss Pursuant to Federal Rules of Civil
13 Procedure Rule 12(b)(1) and Defendant's Motion to Dismiss Pursuant to Federal Rules of Civil
14 Procedure Rule 12(b)(6) to September 17, 2021, or the Court's next available date.

15 WHEREAS, the parties, by way of this stipulation and [Proposed] Order, now respectfully
16 request this Court continue the Initial Case Management Conference, to October 12, 2021, or the
17 Court's next available date.

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1 DATED: August 4, 2021

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3 
4 JOANNA L. PFEISTER (*Pro Se*)

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6 DATED: August 5, 2021

WOOD, SMITH, HENNING & BERMAN LLP

7
8 By:



9 THOMAS D. FAMA

10 PAULA NYSTROM

11 Attorneys for ACTION PROPERTY MANAGEMENT,
12 INC.

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ORDER

GOOD CAUSE APPEARING THEREFORE, IT IS ORDERED:

1. Defendant's Motion to Dismiss, Pursuant to Federal Rules of Civil Procedure, Rule 12(b)(1) and Defendant's Motion to Dismiss, Pursuant to Federal Rules of Civil Procedure, Rule 12(b)(6), previously set for August 19, 2021, are hereby continued to September 16, 2021.

2. The Initial Case Management Conference, previously set for September 9, 2021, is hereby continued to October 28, 2021. Joint Case Management Statement due October 21, 2021.

3. Any hearing, conference, or any such event, which requires the appearance of Plaintiff and/or Defendant, through its counsel, in this matter, shall not occur until after September 16, 2021.

IT IS SO ORDERED.

DATED: August 5, 2021



JUDGE OF THE UNITED STATES DISTRICT
COURT

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